

REMARKS

The Office Action dated March 11, 2005 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 21 and 29 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added. Claims 27 and 28 have been cancelled without prejudice. Claims 21-26 and 29-34 are currently pending in the application and are respectfully submitted for consideration.

In the Official Action, claims 21, 25, and 27-34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Syed (U.S. Patent No. 6,038,451) in view of Nakamura (U.S. Patent No. 6,085,096). The Office Action took the position that Syed discloses all of the elements of the claims, with the exception of sending a predetermined voice or data message from the network to another terminal. The Office Action then relies upon Nakamura as allegedly curing this deficiency in Syed. The above rejection is respectfully traversed for the reasons which follow.

Claim 21, upon which claims 22-26 and 29-34 are dependent, recites a method for generation and transmission of messages in a mobile telecommunication network. The method includes the step of monitoring the location of a mobile subscriber terminal within the mobile telecommunications network using location information generated by, and available for the network, the monitoring being effected by repeatedly retrieving data corresponding to the location of the mobile subscriber terminal from a location register of

the network. The method further includes the steps of comparing the monitored location with a predetermined location within the network, judging whether the monitored location corresponds to the predetermined location, sending a predetermined voice or data message from the network to another terminal if the result of judging is positive, and defining the predetermined terminal as a terminal which has issued a request for a value added service. The method of claim 21 further recites that the another terminal is a predetermined subscriber terminal.

Thus, the claimed invention provides, in part, a method for the generation and transmission of messages. This method includes sending a predetermined voice or data message from a network to another terminal. In this manner, the claimed invention reduces the peak traffic load in the mobile access network, while also improving value added services available in a telecommunications network.

As will be discussed below, the combination of Syed and Nakamura fails to disclose or suggest all of the elements of the claims, and therefore fails to provide the features discussed above.

Syed discloses a method and system for processing a telephone call to a wireless telephone number associated with a mobile telephone unit by forwarding the call to one of a plurality of registered wireline numbers if the mobile unit is located near the geographic location associated with the wireline number. In response to a call placed to a wireless telephone number, the system determines the geographic location of the mobile unit associated with the wireless telephone number. If the mobile unit is near a registered

location, the system forwards the call to the registered wireline number associated with the registered location.

Nakamura discloses a mobile communication system comprising a base station having a message transmission function. The base station is installed near a location where the use of a mobile unit is restricted. When the mobile unit in a wait state enters an area under management of the base station, the base station transmits a data signal for reproducing a message for interrupting speech communication and instructing the user of the mobile unit to turn off the power supply for the mobile unit. In addition, the base station may transmit a message for notifying the other party of incapability of speech communication.

Applicants respectfully submit that Syed and Nakamura fail to disclose or suggest defining the predetermined terminal as a terminal which has issued a request for a value added service, as recited in claim 21. Claim 21 recites that the another terminal, to which the predetermined message is sent from the network, is a predetermined terminal which is defined as a terminal that has issued a request for a value added service. Syed and Nakamura, whether viewed singly or combined, fail to disclose or suggest at least this element of the claims.

Applicants note that claim 21 provides that the terminal was registered based on a request issued by the terminal. According to Syed, on the other hand, calls are forwarded to a certain wireline unit associated with a registered wireline number. Thus, these other terminals are fixed terminals and they are related to the mobile station of the user and

consequently are associated with the user of the mobile station the location of which is being monitored (Syed, Column 3, lines 40-50). More specifically, according to Syed, the call is routed to a terminal which is close to the monitored location, because otherwise the user may not answer a forwarded call. Once a terminal is registered to the system as being a terminal to which a user may forward his call, these terminals remain static. Therefore, for a given mobile station that is being monitored, only a static and fixed selection of other terminals is possible. This selection is user dependent or user definable, and it cannot be influenced by the wireline units themselves.

In fact, the method of Syed would not work successfully if a wireline unit could issue a request to receive a forwarded call, as provided in the present invention. If the wireline unit of Syed issued a request to receive a forwarded call, then the call would be forwarded to a wireline number corresponding to a terminal which is remote from the wireless terminal that is being monitored. As a result, the user would not be able to answer the call any longer.

According to Nakamura, the “another terminal” is only the terminal which communicates with the mobile station which is being monitored (Nakamura, Column 5, lines 45-67). Nakamura does not provide that any other terminal, other than the terminal which is being monitored for location, can receive a predetermined message.

In contrast to Syed and Nakamura, the present invention provides that a predetermined message can be issued to another terminal which can arbitrarily be defined and which defines itself as being “another terminal.” In other words, another terminal

which has issued a request for a value added service, according to the claimed invention, receives a predetermined message independently of its relation to the subscriber of the mobile subscriber terminal that is being monitored for its location. Hence, the another terminal is neither a “second terminal” of the same subscriber, nor is it a terminal in communication with the subscriber, as disclosed in Syed and Nakamura, respectively. Therefore, Applicants respectfully submit that Syed and Nakamura, whether taken alone or combined, fail to disclose or suggest defining the predetermined terminal as a terminal which has issued a request for a value added service, as recited in the present claims.

Furthermore, as discussed above, an advantage of the present invention is that it reduces the peak traffic load of the mobile or radio access network. Whereas Syed can only provide minimal relief in that respect, because Syed is limited to the situation in which the mobile subscriber is located in the vicinity of a registered wireline terminal accessible to the subscriber. As a result, in order to take advantage of the call forwarding implementation of Syed the user must remain within a certain location thereby reducing the usefulness of the service. Similarly, Nakamura would not improve the method of Syed with the transmission of voice/signaling messages from the base station to the mobile terminal. Consequently, Applicants respectfully assert that a person of skill in the art would not even consider combining Syed and Nakamura to reduce the peak traffic load of the mobile network.

Additionally, Syed’s teachings regarding monitoring the location of the mobile unit was basic and well-known in the area of mobile telephony while only providing a

small extension to the call forwarding conditional service—the condition being that the geographical location of the mobile terminal must be close to another (e.g. wireline) terminal registered as accessible to the subscriber. The method of Syed starts only upon a new incoming call and affects the routing of the incoming call in a manner that is similar to the old days of fixed network telephony. The present invention, on the other hand, does not affect the mobile subscriber's ability to use the terminal. It only removes one of the reasons for using the terminal without any additional signaling or traffic load introduced in the access network. The process of monitoring the location of the terminal and comparing the location to the predetermined group of cells is perpetual.

In the Office Action, claims 22-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Syed in view of Nakamura and further in view of Stenman (U.S Patent No. 6,223,029). The Office Action took the position that Syed and Nakamura disclose all of the elements of the claims, with the exception of a data message being an SMS message. The Office Action then relies upon Stenman as allegedly curing this deficiency in Syed and Nakamura. The above rejection is respectfully traversed for the reasons which follow.

Syed and Nakamura are discussed above. Stenman discloses a system providing combined mobile telephony and remote control terminal functionalities. The system is comprised of a mobile station including a transceiver portion that provides normal mobile telephony functionalities enabling a user to interact with a Public Land Mobile Network.

Applicants submit that claims 22-24 are dependent upon claim 21. Additionally, Stenman fails to cure the deficiencies in Syed and Nakamura with respect to claim 21, as discussed above. As such, the combination of Syed, Nakamura and Stenman, whether viewed singly or combined, fails to disclose or suggest all of the elements of claims 22-24. Therefore, claims 22-24 should be allowed for at least their dependence upon claim 21, and for the specific limitations recited therein.

Claim 26 was rejected under 35 U.S.C. §103(a) as being unpatentable over Syed in view of Nakamura and further in view of Brennan (U.S. Patent No. 5,329,578). The Office Action took the position that Syed and Nakamura disclose all of the elements of the claim, with the exception of the message being transmitted only within a predetermined time range. The Office Action then relies upon Brennan as allegedly curing this deficiency in Syed and Nakamura. The rejection is respectfully traversed for the reasons which follow.

Syed and Nakamura are discussed above. Brennan discloses a system for providing personal communication services (PCS), where calls to a personal number are routed to a PCS service node. A personal agent ensures that attempts to communicate with an individual are handled with appropriate consideration for who is calling, when the call is made, and the urgency of the call.

Applicants respectfully submit that claim 26 is also dependent upon claim 21. In addition, Brennan, like Stenman, fails to cure the deficiencies in Syed and Nakamura with respect to claim 21. Therefore, the combination of Syed, Nakamura and Brennan

fails to disclose or suggest all of the elements of claim 26. As a result, claim 26 should be allowed for at least its dependence upon claim 21, and for the specific limitations recited therein.

Applicants respectfully submit that the cited prior art fails to disclose or suggest critical and important elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 21-26 and 29-34 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Petition for Extension of Time